

### **REMARKS**

Claims 1-13 are pending in the present application. The Examiner rejected claims 1-12 under 35 U.S.C. § 102(b) as being anticipated by Davis (U.S. Patent No. 5,454,041) in a final Office Action. Applicants submit herewith a request for continued examination pursuant to 37 C.F.R. § 1.114 with this Amendment as the requisite submission. With entry of this Amendment, Applicants amend claims 1, 10, 11 and 13. Reexamination and reconsideration are respectfully requested.

Applicants have amended claim 1 to recite a mixing signal-path setting apparatus having a first signal path setting section that “selects a particular input channel, from among the selected plural input channels, to be excluded . . . .” Support for this amendment is found in the specification and drawings including, without limitation, at page 18, lines 21-24.

Applicants have also amended claim 1 to recite a second signal path setting section that makes “a setting such that the signals of said plural input channels selected via said first signal path setting section, having the signal of the particular input channel selected by said exclusion setting section excluded therefrom prior to mixing in a second output channel of the plurality of output channels, are mixed in said second output channel . . . .” Support for this amendment is found in the specification and drawings including, without limitation, at page 17, line 8 to page 18, line 20.

These amendments clearly recite that, in the present invention, the signal of a particular channel is excluded at a stage preceding the mixing in an output channel by specifically recited structure.

In contrast, Davis discloses a minus-one functionality by excluding a signal of a predetermined input channel from signals *having been mixed*. This is done by inverting the excluded signal and subtracting it from a summed signal of all the signals to produce a mix-minus signal. (*See, e.g.*, Col. 6, lines 1-40 and Col. 7, lines 25-33.) Thus, Davis fails to disclose an apparatus structured with a first signal path setting section that “selects a particular input channel, from among the selected plural input channels, to be excluded” and a second signal path setting section that makes “a setting such that the signals of said plural input channels selected via said first

signal path setting section, having the signal of the particular input channel selected by said exclusion setting section excluded therefrom prior to mixing in a second output channel of the plurality of output channels, are mixed in said second output channel . . . .”

Accordingly, claim 1 and its dependent claims are not anticipated by Davis for at least the reasons set forth above.

Claims 10 and 13 have been amend in a similar manner to claim and are thus patentable over Davis. Claim 11, which depends from claim 10, has been amended to correct a minor informality.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

If, for any reason, the Examiner finds the application other than in condition for allowance, Applicants request that the Examiner contact the undersigned attorney at the Los Angeles telephone number (213) 892-5630 to discuss any steps necessary to place the application in condition for allowance.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing Docket No. 393032039800.

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Respectfully submitted,

By /MehranArjomand/  
Mehran Arjomand  
Registration No.: 48,231  
MORRISON & FOERSTER LLP  
555 West Fifth Street, Suite 3500  
Los Angeles, California 90013  
(213) 892-56305200